

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

CALL FOR SPECIAL MEETING

COMMUNICATION FROM

COUNCIL PRESIDENT MICHAEL A. SOLOMON

3. Request, filed with the City Clerk, July 30, 2012, Requesting a Special Meeting of the City Council to be Called on the 1st of August, 2012 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

WARRANT FOR SPECIAL MEETING

4. Warrant of the City Clerk to City Sergeant with Return Certification that he has notified each Member of the City Council of the Special Meeting Called for the 1st day of August, 2012 at 6:00 o'clock P.M., in the City Council Chamber, Third Floor, City Hall.

APPOINTMENTS BY HIS HONOR THE MAYOR

5. Communication dated July 11, 2012, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Thomas J. Ryan, Esquire of 590 Pleasant Valley Parkway, Providence, Rhode Island 02908, as a member of the Providence Housing Authority for a term to expire on July 31, 2017.

6. Communication dated July 26, 2012, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 815

of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing Mark A. Tracy of 230 Arlington Avenue, Providence, Rhode Island 02906, as a member of the Board of Investment Commissioners for a term to expire on January 1, 2015. (Mr. Tracy will fill the vacancy of David Vanech whose term has expired)

ORDINANCES SECOND READING

The Following Ordinances were in City Council July 30, 2012, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

7. An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: “The City of Providence Zoning Ordinance”, Approved June 27, 1994, As Amended, to modify Articles III, IV, X and Appendix A.

8. An Ordinance Amending Providence Tomorrow the Comprehensive Plan as the City’s Official Comprehensive Plan, by changing the

future land use map for the area bounded by Cushing, Brook, Angell, and Thayer Streets.

9. An Ordinance in amendment of Chapter 27 of the Code of Ordinances of the City of Providence entitled “The City of Providence Zoning Ordinance” Approved June 27, 1994, As Amended, to create a new zoning district that would support high density residential and limited commercial development and to modify the zoning map for a nine lot area bounded by Meeting, Brook, Euclid and Thayer Streets.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT SOLOMON:

10. Resolution Repealing City Council Resolution No. 2011-384,

Effective July 11, 2011; No. 2011-444, Effective September 7, 2011; No. 2011-590, Effective December 9, 2011; No. 2012-155, Effective March 22, 2012; and No. 2012-388, Effective July 20, 2012, regarding a Moratorium on the Zoning Board of Review's Accepting and Hearing of Applications for Special Use Permits for Full Entertainment Licenses in Ward Thirteen.

COUNCILMAN SALVATORE:

11. Resolution Requesting Remedy Analytics to conduct an Independent Audit of the City's Pharmacy Benefit Management Agreements.

COUNCILMAN SANCHEZ:

12. Resolution Requesting the Department of Recreation to donate a bus to the Elmwood Little League when one becomes available.

REPORTS FROM COMMITTEE

COMMITTEE ON ORDINANCES

COUNCILMAN SETH YURDIN, Chairman

Transmits the Following with Recommendation the Same be Severally Approved:

13. Resolution Requesting that the following ballot question, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the Department of Arts, Culture and Tourism be established by Charter? [Adds Section 1018]

14. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Effective 2022, shall the number of wards in the city be reduced from fifteen (15) to twelve (12), and the composition of the city council change to one member from each of twelve (12) wards, and an

additional three (3) members to be elected "at large"? [Amends Section 201]

Shall the committee on ward boundaries be elected in January of 2021 and every tenth year thereafter, and shall new requirements for revising ward boundary lines be established to include additional public hearings and opportunities for public comment, specifications for council approval of the plan, and criteria for drawing ward boundaries? [Amends Section 204]

Shall the due date for setting wards and ward boundaries be extended from March 1 to May 1? [Amends Section 204(b)]

15. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

**Shall the city establish a budget reserve fund for capital improvements no later than fiscal year 2017, such fund to comprise of a percentage of the estimated general revenues for each fiscal year?
[Adds Section 802[B]]**

Shall the mayor have authority, with the approval of a majority of the

city council, to appropriate funds from the budget reserve account in the event of an emergency involving the health, safety or welfare of the city's residents, or in the event of an unanticipated deficit in any given fiscal year? [Adds Section 802(B)(1)]

Shall the mayor's proposed budget include a calculation of the budget reserve fund, any proposed use of any excess funds in the budget reserve account? [Amends Section 803]

Shall the amount of money the mayor may transfer among agencies, offices and departments be increased from five thousand dollars (\$5,000.00) to twenty-five thousand dollars (\$25,000.00)? [Amends Section 810]

Shall there be a January 31 annual deadline for the finance director to provide to the mayor and submit to the city council the director's five-year financial plan? [Amends Section 813]

16. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the Charter include a statement of intent to provide the mayor

and city council with the authority to organize and administer the structure of the city's government in order to protect the health, safety and welfare of its residents, and to maintain the fiscal health of the city? [Adds Section 106]

Shall the terms used in the Charter be defined as follows for clarity and consistency? [Adds Section 107]

(a) "City" shall mean the City of Providence, in the County of Providence, and the State of Rhode Island.

(b) "Council" shall mean the duly elected city council of the City of Providence.

(c) "Domiciled" shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which whenever he or she is absent has the intention of returning.

(d) Mayor. Whenever the word "mayor" is used, it shall mean the mayor of the City of Providence.

(e) "Publication." Unless otherwise required by state law, wherever it appears in this Charter, any provision requiring "publication in a newspaper of general circulation" may be fulfilled alternatively by the following:

- (1) posting of written notice in the office of the Clerk, and**
- (2) electronic filing with the secretary of state, and**
- (3) electronic posting on the city's official website.**

Actual publication in a "newspaper of general circulation" shall not be required.

(g) "Quorum" shall mean a majority of the members of a public body or duly appointed committee.

17. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall charter review commissions be appointed as of September 1, 2021, and every ten years thereafter? [Amends Section 1302]

Shall amendments approved by electors of the city be effective upon approval, unless otherwise noted? [Amends Section 1410]

18. Resolution Requesting that the following ballot question, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the city solicitor review all legal documents for the City, have authority to seek any remedy permitted by law, and be allowed to hire the number of staff members he or she deems appropriate as long as staff expenses remain within the limits of the budget for the solicitor's office? {Amends Section 603}

19. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall a quorum of the full city council be required at public hearings concerning the salaries of elected and appointed officials, the city's annual budget, land use control, new taxes, wards and boundaries, and proposed changes to the charter? [Amends Section 411]

Shall the dollar value of personal property the City can sell without public notice and public bid be increased from one thousand dollars (\$1,000.00) to twenty-five hundred dollars (\$2,500)? Amends Section

20. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the term "personnel department" be replaced with "human resources department" wherever it appears in the charter? [Amends Sections 901 through 906]

Shall the term "personal secretary" be changed to "confidential secretary?" [Amends Section 905(g)]

Shall it be the responsibility of the human resources department to enforce the procedures for suspension, discharge, reduction in class position, and layoff of employees? [Amends Section 903(j).]

Shall the responsibilities of the human resources department be changed to eliminate examining and approving all payrolls, and monitoring residency requirements? [Amends Sections 903 (l) and (p).]

Shall the authority of department heads, boards and agencies to

demote, suspend and dismiss personnel be transferred to the department of human resources, which shall enforce such procedures in accordance with applicable law, rules and regulations? [Amends Section 904].

Shall the director of affirmative action be placed in the department of human resources instead of in the office of the mayor? [Amends Section 906]

21. Resolution Requesting that the following ballot question be submitted to the Rhode Island Secretary of State, as adopted on _____, 2012:

Shall the qualifications for the director of the department of public property be a bachelor's degree, or a minimum of five (5) years of experience in the field, with preference to be given to a person with a bachelor's degree? [Amends section 1006]

22. Resolution Requesting that the following ballot question, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the Providence Emergency Management Agency and Homeland Protection Department be placed under the jurisdiction of the Department of Public Safety, under the supervision of the Commissioner of Public Safety? [Amends Section 1001]

23. Resolution Requesting that the following ballot question, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the mayor or his/her designee, and the city's internal auditor, be added as members of the retirement board? [Amends Section 903]

24. Resolution Requesting that the following ballot question, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the Department of Sustainability be established by Charter?
[Adds Section 1015]

25. Resolution Requesting that the following ballot questions, as adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall persons be prohibited from serving more than two (2) consecutive terms as chair of any board, authority or commission, with the exception of the mayor, city council members and/or department heads who serve as chair ex officio? [Amends Section 1202, to add subsection (c)]

Shall the Charter prohibit city officials from using their authority or influence to secure city employment for any person within his or her family or any business associates? [Amends Section 1206 to add subsection (e)]

26. Resolution Requesting that the following ballot question, as

adopted on _____, 2012, be submitted to the Rhode Island Secretary of State to appear on the November 2012 ballot:

Shall the committee on ward boundaries be elected in January of 2021 and every tenth year thereafter, and shall new requirements for revising ward boundary lines be established to include additional public hearings and opportunities for public comment, specifications for council approval of the plan, and criteria for drawing ward boundaries? [amends Section 204]

27. Resolution Requesting the Members of the Providence City Council hereby authorize the placement of a 2012 Ballot Question amending the Providence Home Rule Charter to allow for Elected School Board.

COMMUNICATIONS AND REPORTS

28. Communication from His Honor the Mayor, dated July 11, 2012, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development

Partnership, that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Article II, Section 2, of the Providence Economic Development Partnership, Inc., bylaws, he is hereby re-appointing Mr. Daniel A. Baudouin of 2 Thomas Street, Providence, Rhode Island 02903, Executive Director of the Providence Foundation, as a member of the Board of Directors of the Providence Economic Development Partnership for a term to expire on June 30, 2014.

29. Communication from His Honor the Mayor, dated July 11, 2012, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, that pursuant to Section 302(b) of the Providence Home

Rule Charter of 1980, as amended and Article II, Section 2, of the Providence Economic Development Partnership, Inc., bylaws, he is hereby appointing Adriana I. Dawson of 28 Burns Street, Providence, Rhode Island 02904, Executive Director of the Rhode Island Small Business Development Center, for a term to expire on June 30, 2014. (Ms. Dawson will replace Alberto Guzman whose term has expired)

30. Communication from His Honor the Mayor, dated July 11, 2012, Informing the Honorable Members of the City Council and James S. Bennett, Executive Director, Providence Economic Development Partnership, that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Section 1 through 31 passed in 1987, he is this day appointing Alberto Guzman of 1214 Broad Street, Providence, Rhode Island 02905, as a member of the Providence Economic Development Loan Committee for a term ending in January 2014. (Mr. Guzman will replace Adriana Dawson who has been appointed to the board of the Providence Economic Development Partnership)

CONVENTION

**The City Council will Convene in the Chamber of the City Council,
City Hall on WEDNESDAY, AUGUST 1, 2012 at 5:30 o'clock P.M.
(E.D.T.)**

**ANNA M. STETSON
CITY CLERK**